(18)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 4125 of 2007

PETITIONERS

1. Hom Lal Sahu, Age about 46 year, Astt. Teacher, S/o Late Shri Keju Ram Sahu, Govt. Middle School, Ganod, Block-Arung, Distt. Raipur (C.G.)
2. Dharmendra Singh Thakur, Age about 31 year, Astt. Teacher, S/o Shri Bhushan Singh Thakur, Primary School, Pitaiband, Block-Fingeshwar, Distt.-Raipur (C.G.)

VERSUS

RESPONDENTS

1. State Govt. of Chhattisgarh, Through Secretary, Tribal Welfare Department & Education Department, D.K.S. Bhawan, Distt.-Raipur (C.G.)
2. Distt. Education Officer, Raipur, District-Raipur (C.G.)
3. Block Education Officer, Arang/Fingeshwar, District– Raipur (C.G.)
4. Treasury, Account & Pension, Raipur, District Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri**

Present: Shri Ajay Shrivastava, Advocate for the petitioners.
Shri Sumesh Bajaj, Govt. Advocate for the State / respondents.

ORDER
(Passed on this 16th day of July, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***)

and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) (Supra).

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Examination Certificates on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

B/-